

**REMARKS**

This communication is a full and timely response to the Office Action dated November 13, 2003. By this communication, the title has been amended to rename the invention "Optical Pickup Device That Corrects The Spot Shape Of Reflected Light Beams." No new matter has been added. Claims 1-52 are pending where claims 4, 6-8, 10, 11, 17, 19, 20, and 22-52 have been withdrawn, claims 1-3, 5, 9, 12-16, 18, and 21 are elected, and claims 1 and 14 are independent.

**Objection to the Specification**

The title was objected to for failing to be precise or descriptive. Applicant has amended the title to rename the invention "Optical Pickup Device That Corrects The Spot Shape Of Reflected Light Beams." Accordingly, Applicant respectfully requests that the objection to the title be withdrawn.

**Election/Restriction**

Applicant respectfully thanks the Examiner for indicating that claims 9 and 21 are generic and thus eligible for consideration on the merits. Further, Applicant notes that claim 1 is generic with respect to claim 4 through the recited spot shape correction means, and likewise, claim 14 is generic with respect to claims 17 through the recited spot shape correction means. Claim 1 includes every element recited in claim 4. Moreover, claim 14 includes every element recited in claim 17. Therefore, Applicant submits that claims 4 and 17 should be included in the election of Species I.

**Rejections Under 35 U.S.C. §102**

Claims 1-3, 5, 9, 12-16, 18 and 21 were rejected under 35 U.S.C. §102(a) as anticipated by *Ando et al.*, U.S. Patent No. 6,392,977. Applicant respectfully traverses this rejection.

Independent claim 1 recites an optical head comprising, an objective lens supported for movement; a light source for radiating a light beam; light separating means for separating the light beam radiated from said light source and a reflected light beam from an optical recording medium from each other; light detecting means for receiving said reflected light

beam from said optical recording medium separated by said light separating means; and spot shape correction means arranged between said objective lens and said light detecting means; said spot shaping means correcting part or all of spots formed by said reflected light beam on said light detecting means so that the spot diameter in a direction of traversing a track on said optical recording medium will be larger than the spot diameter in a direction along said track.

Independent claim 14 recites a light receiving and emitting device comprising a light source for radiating a light beam; light separating means for separating the light beam radiated from said light source and a reflected light beam from an optical recording medium from each other; light detecting means for receiving said reflected light beam from said optical recording medium separated by said light separating means; and spot shape correction means arranged between said light separating means and said light detecting means; said spot shape correction means correcting part or all of spots formed by said reflected light beam on said light detecting means so that a spot diameter in a direction of traversing a track on said optical recording medium will be larger than the spot diameter in a direction along said track.

*Ando* discloses an optical pickup device having the capability to record/reproduce information signals for first and second optical discs with different recording capacities (Abstract). The optical pickup device 1 includes first and second semiconductor lasers 3a and 3b, a dichroic beam splitter 4, a first diffraction grating 5a, a collimator lens 6, a beam splitter 7, a dichroic hologram 8, and an objective lens 9. These components are listed in the order through which light passes when light is radiated onto an optical disc. See col. 4 lines 55-65, col. 5 lines 35-65. Light reflected from the optical disc passes through the objective lens 9, the dichroic hologram 8, the beam splitter 7, a phase compensation plate 11, a Wallastone prism 22, a light converging lens 13, and a photodetector 15. See col. 11, lines 46-67; col. 12, lines 1-10. The photodetector 15 is partitioned into a plurality light receiving sections that receive light beams reflected from the optical disc based on the polarization component of each beam. *Ando*, however, does not disclose, teach, or suggest at least correcting part or all of spots formed by said reflected light beam on said light detecting means so that the spot diameter in a direction of traversing a track on said optical recording medium will be larger than the spot diameter in a direction along said track, as recited in claims 1 and 14. At best, *Ando* discloses forming light beams on the light receiving sections

of the photodetector 15, where each of the formed light beams has the same spot diameter.

*See Figs. 3 and 4.*

To properly anticipate a claim, the document must disclose, explicitly or implicitly, each and every feature recited in the claim. *See Verdegall Bros. v. Union Oil Co. of Calif.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). *Ando* fails to disclose, teach, or suggest at least correcting part or all of spots formed by said reflected light beam on said light detecting means so that the spot diameter in a direction of traversing a track on said optical recording medium will be larger than the spot diameter in a direction along said track, as recited in claims 1 and 14. Thus, claims 1 and 14 are not anticipated. Accordingly, Applicant respectfully requests that the rejection of claims 1 and 14 under 35 U.S.C. §102 be withdrawn, and these claims be allowed.

Claims 2-5, 9, 12, and 13 depend from claim 1, and claims 15-18, and 21 depend from claim 14. By virtue of this dependency, Applicant submits that claims 2-5, 9, 12, 13, 15-18, and 21 are allowable for at least the same reasons given above with regards to their respective base claims. In addition, Applicant submits that claims 2-5, 9, 12, 13, 15-18, and 21 are further distinguished over *Ando* by the additional elements recited therein, and particularly with respect to each claimed combination. Applicant respectfully requests, therefore, that the rejection of claims 2-5, 9, 12, 13, 15-18, and 21 under 35 U.S.C. §102 be withdrawn, and these claims be allowed.

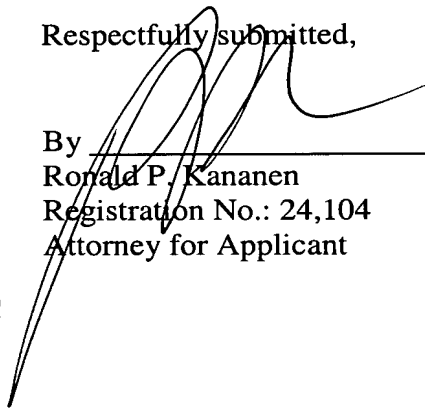
**Conclusion**

Based on at least the foregoing amendments and remarks, Applicant submits that claims 1-5, 9, 12-18, and 21 are allowable, and this application is in condition for allowance. Accordingly, Applicant requests favorable reexamination and reconsideration of the application. In the event the Examiner has any comments or suggestions for placing the application in even better form, Applicant requests that the Examiner contact the undersigned attorney at the number listed below.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-2552/KOI from which the undersigned is authorized to draw.

Dated: February 5, 2004

Respectfully submitted,

By   
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Ronald P. Kananen  
Registration No.: 24,104  
Attorney for Applicant

**RADER, FISHMAN & GRAUER, PLLC**  
Lion Building  
1233 20<sup>th</sup> Street, N.W., Suite 501  
Washington, D.C. 20036  
Tel: (202) 955-3750  
Fax: (202) 955-3751  
Customer No. 23353

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